

## 18.203

used to facilitate the defense against or recovery from nuclear, biological, chemical, or radiological attack. (See 12.102(f)(1) and 13.500(e).)

(d) *Test program for certain commercial items.* The threshold limits authorized for use of the test program may be increased when it is determined the acquisition is to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack. (See 13.500(e).)

### **18.203 Incidents of national significance, emergency declaration, or major disaster declaration.**

(a) *Authorized or required by statute.* Agencies may limit the use of full and open competition when statutes authorize or require that the acquisition be made through another agency or from a specified source. This includes the Robert T. Stafford Disaster Relief and Emergency Assistance Act. (See 6.302–5 and Subpart 26.2.)

(b) *Disaster or emergency assistance activities.* Preference will be given to local organizations, firms, and individuals when contracting for major disaster or emergency assistance activities when the President has made a declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. In addition, contracting officers may set aside solicitations to allow only offerors residing or doing business primarily in the area affected by such major disaster or emergency to compete. (See Subparts 6.6 and 26.2.)

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(c) *Ocean transportation by U.S. flag vessels.* The provisions of the Cargo Preference Act of 1954 may be waived in emergency situations. (See 47.502(c).)

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### **18.204 Resources.**

(a) *National Response Plan.* The National Response Plan (NRP) provides a single, comprehensive framework for the management of domestic incidents where Federal involvement is necessary as required by the Homeland Security Act of 2002 (Public Law 107–296). The NRP only applies to incidents of national significance, defined as an actual or potential high-impact event that requires a coordinated and effective response by an appropriate combination of Federal, State, local, tribal, nongovernmental, and/or private-sector entities in order to save lives, minimize damage, and provide for long-term community recovery and mitigation activities. The Department of Homeland Security is responsible for the NRP. The NRP is available at [http://www.dhs.gov/dhspublic/interapp/editorial/editorial\\_0566.xml](http://www.dhs.gov/dhspublic/interapp/editorial/editorial_0566.xml).

(b) *OFPP Guidelines.* The Office of Federal Procurement Policy (OFPP) “Emergency Acquisitions Guide” is available at [http://www.whitehouse.gov/omb/procurement/guides/emergency\\_acquisitions\\_guide.pdf](http://www.whitehouse.gov/omb/procurement/guides/emergency_acquisitions_guide.pdf).

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